

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 526 be amended to read as follows:

- 1 Page 2, strike line 5.
- 2 Page 2, line 6, strike "permanent endowment funds under".
- 3 Page 2, line 6, delete "IC 21-7-14."
- 4 Page 6, line 34, strike "(as defined in".
- 5 Page 6, line 35, strike "IC 20-12-0.5-1)".
- 6 Page 12, between lines 1 and 2, begin a new paragraph and insert:
- 7 "SECTION 20. IC 4-4-2.4-2, AS ADDED BY P.L.144-2006,
- 8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2007]: Sec. 2. The office of the lieutenant governor may adopt
- 10 rules under IC 4-22-2 to carry out the duties, purposes, and functions
- 11 of the office of the lieutenant governor relating to:
- 12 (1) energy policy under section 1 of this chapter;
- 13 (2) the administration of the center for coal technology research
- 14 under ~~IC 4-4-30-5.5~~; **IC 21-47-4-2**; and
- 15 (3) the Indiana recycling and energy development board under
- 16 IC 4-23-5.5-6.5."
- 17 Page 21, between lines 20 and 21, begin a new paragraph and insert:
- 18 "SECTION 32. IC 4-12-12-6, AS AMENDED BY P.L.1-2005,
- 19 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2007]: Sec. 6. Money in the account that is not otherwise
- 21 designated under section 3 of this chapter is annually dedicated to the
- 22 following:
- 23 (1) The certified school to career program and grants under
- 24 IC 22-4.1-8.

(2) The certified internship program and grants under IC 22-4.1-7.

(3) The Indiana economic development partnership fund under IC 4-12-10.

(4) Minority training program grants under IC 22-4-18.1-11.

(5) Technology apprenticeship grants under IC 20-20-32.

(6) The back home in Indiana program under IC 22-4-18.1-12.

(7) The Indiana schools smart partnership under IC 22-4.1-9.

(8) The scientific instrument project within the department of education.

(9) The coal technology research fund under ~~IC 4-4-30-8.~~

**IC 21-47-4-5."**

Page 30, line 21, strike "IC 20-12-1-4." and insert "**IC 21-38-3-1.**".

Page 33, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 54. IC 4-23-5.5-16, AS AMENDED BY P.L.1-2006, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) As used in this section, "center" refers to the center for coal technology research established by ~~IC 4-4-30-5.~~ **IC 21-47-4-1.**

(b) The Indiana coal research grant fund is established for the purpose of providing grants for research and other projects designed to develop and expand markets for Indiana coal. The fund shall be administered by the center.

(c) Sources of money for the fund consist of the following:

(1) Appropriations from the general assembly.

(2) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.

(d) Money remaining in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) The center shall establish:

(1) amounts for grants under this section; and

(2) criteria for awarding grants under this section.

(g) A person, business, or manufacturer that wants a grant from the fund must file an application in the manner prescribed by the center.

(h) The center shall appoint a panel of at least eight (8) members to review and make recommendations to the center about each application filed under this section. To be a member of the panel, an individual must be a scientist, a professional engineer registered under IC 25-31-1, or another professional who is familiar with coal combustion, coal properties, coal byproducts, and other coal uses.

(i) The lieutenant governor shall pursue available private and public sources of money for the fund."

Page 60, line 22, after "IC 20-5.5" insert "**(before its repeal) or**

1 **IC 20-24".**

2 Page 69, line 36, delete "IC 21-32-1." and insert "**IC 21-32-3.**".

3 Page 82, line 30, strike "Referenda.".

4 Page 109, between lines 20 and 21, begin a new paragraph and  
5 insert:

6 "SECTION 114. IC 6-1.1-12-35.5, AS AMENDED BY  
7 P.L.154-2006, SECTION 22, IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 35.5. (a) Except as  
9 provided in section 36 of this chapter, a person who desires to claim the  
10 deduction provided by section 31, 33, 34, or 34.5 of this chapter must  
11 file a certified statement in duplicate, on forms prescribed by the  
12 department of local government finance, and proof of certification  
13 under subsection (b) or (f) with the auditor of the county in which the  
14 property for which the deduction is claimed is subject to assessment.  
15 Except as provided in subsection (e), with respect to property that is not  
16 assessed under IC 6-1.1-7, the person must file the statement between  
17 March 1 and June 11, inclusive, of the assessment year. The person  
18 must file the statement in each year for which the person desires to  
19 obtain the deduction. With respect to a property which is assessed  
20 under IC 6-1.1-7, the person must file the statement between January  
21 15 and March 31, inclusive, of each year for which the person desires  
22 to obtain the deduction. The statement may be filed in person or by  
23 mail. If mailed, the mailing must be postmarked on or before the last  
24 day for filing. On verification of the statement by the assessor of the  
25 township in which the property for which the deduction is claimed is  
26 subject to assessment, the county auditor shall allow the deduction.

27 (b) This subsection does not apply to an application for a deduction  
28 under section 34.5 of this chapter. The department of environmental  
29 management, upon application by a property owner, shall determine  
30 whether a system or device qualifies for a deduction provided by  
31 section 31, 33, or 34 of this chapter. If the department determines that  
32 a system or device qualifies for a deduction, it shall certify the system  
33 or device and provide proof of the certification to the property owner.  
34 The department shall prescribe the form and manner of the certification  
35 process required by this subsection.

36 (c) This subsection does not apply to an application for a deduction  
37 under section 34.5 of this chapter. If the department of environmental  
38 management receives an application for certification before May 11 of  
39 the assessment year, the department shall determine whether the system  
40 or device qualifies for a deduction before June 11 of the assessment  
41 year. If the department fails to make a determination under this  
42 subsection before June 11 of the assessment year, the system or device  
43 is considered certified.

44 (d) A denial of a deduction claimed under section 31, 33, 34, or 34.5  
45 of this chapter may be appealed as provided in IC 6-1.1-15. The appeal  
46 is limited to a review of a determination made by the township

assessor, county property tax assessment board of appeals, or department of local government finance.

(e) A person who timely files a personal property return under IC 6-1.1-3-7(a) for an assessment year and who desires to claim the deduction provided in section 31 of this chapter for property that is not assessed under IC 6-1.1-7 must file the statement described in subsection (a) between March 1 and June 11, inclusive, of that year. A person who obtains a filing extension under IC 6-1.1-3-7(b) for an assessment year must file the application between March 1 and the extended due date for that year.

(f) This subsection applies only to an application for a deduction under section 34.5 of this chapter. The center for coal technology research established by ~~IC 4-4-30-5~~, **IC 21-47-4-1**, upon receiving an application from the owner of a building, shall determine whether the building qualifies for a deduction under section 34.5 of this chapter. If the center determines that a building qualifies for a deduction, the center shall certify the building and provide proof of the certification to the owner of the building. The center shall prescribe the form and procedure for certification of buildings under this subsection. If the center receives an application for certification of a building under section 34.5 of this chapter before May 11 of an assessment year:

- (1) the center shall determine whether the building qualifies for a deduction before June 11 of the assessment year; and
- (2) if the center fails to make a determination before June 11 of the assessment year, the building is considered certified.

SECTION 115. IC 6-1.1-18-12, AS AMENDED BY P.L.154-2006, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) For purposes of this section, "maximum rate" refers to the maximum:

- (1) property tax rate or rates; or
- (2) special benefits tax rate or rates;

referred to in the statutes listed in subsection (d).

(b) The maximum rate for taxes first due and payable after 2003 is the maximum rate that would have been determined under subsection (e) for taxes first due and payable in 2003 if subsection (e) had applied for taxes first due and payable in 2003.

(c) The maximum rate must be adjusted:

- (1) each time an annual adjustment of the assessed value of real property takes effect under IC 6-1.1-4-4.5; and
- (2) each time a general reassessment of real property takes effect under IC 6-1.1-4-4.

(d) The statutes to which subsection (a) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1;

- 1 (5) IC 12-29-1-2;
- 2 (6) IC 12-29-1-3;
- 3 (7) IC 12-29-3-6;
- 4 (8) IC 13-21-3-12;
- 5 (9) IC 13-21-3-15;
- 6 (10) IC 14-27-6-30;
- 7 (11) IC 14-33-7-3;
- 8 (12) IC 14-33-21-5;
- 9 (13) IC 15-1-6-2;
- 10 (14) IC 15-1-8-1;
- 11 (15) IC 15-1-8-2;
- 12 (16) IC 16-20-2-18;
- 13 (17) IC 16-20-4-27;
- 14 (18) IC 16-20-7-2;
- 15 (19) IC 16-22-14;
- 16 (20) IC 16-23-1-29;
- 17 (21) IC 16-23-3-6;
- 18 (22) IC 16-23-4-2;
- 19 (23) IC 16-23-5-6;
- 20 (24) IC 16-23-7-2;
- 21 (25) IC 16-23-8-2;
- 22 (26) IC 16-23-9-2;
- 23 (27) IC 16-41-15-5;
- 24 (28) IC 16-41-33-4;
- 25 (29) IC 20-46-2-3;
- 26 (30) IC 20-46-6-5;
- 27 (31) IC 20-49-2-10;
- 28 (32) ~~IC 23-13-17-1~~; **IC 36-1-19-1**;
- 29 (33) IC 23-14-66-2;
- 30 (34) IC 23-14-67-3;
- 31 (35) IC 36-7-13-4;
- 32 (36) IC 36-7-14-28;
- 33 (37) IC 36-7-15.1-16;
- 34 (38) IC 36-8-19-8.5;
- 35 (39) IC 36-9-6.1-2;
- 36 (40) IC 36-9-17.5-4;
- 37 (41) IC 36-9-27-73;
- 38 (42) IC 36-9-29-31;
- 39 (43) IC 36-9-29.1-15;
- 40 (44) IC 36-10-6-2;
- 41 (45) IC 36-10-7-7;
- 42 (46) IC 36-10-7-8;
- 43 (47) IC 36-10-7.5-19;
- 44 (48) IC 36-10-13-5;
- 45 (49) IC 36-10-13-7;
- 46 (50) IC 36-10-14-4;

- 1 (51) IC 36-12-7-7;  
 2 (52) IC 36-12-7-8;  
 3 (53) IC 36-12-12-10; and  
 4 (54) any statute enacted after December 31, 2003, that:  
 5 (A) establishes a maximum rate for any part of the:  
 6 (i) property taxes; or  
 7 (ii) special benefits taxes;  
 8 imposed by a political subdivision; and  
 9 (B) does not exempt the maximum rate from the adjustment  
 10 under this section.  
 11 (e) The new maximum rate under a statute listed in subsection (d)  
 12 is the tax rate determined under STEP SEVEN of the following STEPS:  
 13 STEP ONE: Determine the maximum rate for the political  
 14 subdivision levying a property tax or special benefits tax under  
 15 the statute for the year preceding the year in which the annual  
 16 adjustment or general reassessment takes effect.  
 17 STEP TWO: Determine the actual percentage increase (rounded  
 18 to the nearest one-hundredth percent (0.01%)) in the assessed  
 19 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the  
 20 taxable property from the year preceding the year the annual  
 21 adjustment or general reassessment takes effect to the year that  
 22 the annual adjustment or general reassessment takes effect.  
 23 STEP THREE: Determine the three (3) calendar years that  
 24 immediately precede the ensuing calendar year and in which a  
 25 statewide general reassessment of real property does not first take  
 26 effect.  
 27 STEP FOUR: Compute separately, for each of the calendar years  
 28 determined in STEP THREE, the actual percentage increase  
 29 (rounded to the nearest one-hundredth percent (0.01%)) in the  
 30 assessed value (before the adjustment, if any, under  
 31 IC 6-1.1-4-4.5) of the taxable property from the preceding year.  
 32 STEP FIVE: Divide the sum of the three (3) quotients computed  
 33 in STEP FOUR by three (3).  
 34 STEP SIX: Determine the greater of the following:  
 35 (A) Zero (0).  
 36 (B) The result of the STEP TWO percentage minus the STEP  
 37 FIVE percentage.  
 38 STEP SEVEN: Determine the quotient of the STEP ONE tax rate  
 39 divided by the sum of one (1) plus the STEP SIX percentage  
 40 increase.  
 41 (f) The department of local government finance shall compute the  
 42 maximum rate allowed under subsection (e) and provide the rate to  
 43 each political subdivision with authority to levy a tax under a statute  
 44 listed in subsection (d)."  
 45 Page 110, between lines 2 and 3, begin a new paragraph and insert:  
 46 "SECTION 117. IC 6-1.1-44-4 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. As used in this chapter, a unit of materials, goods, or other tangible personal property is a "recycled component" if coal combustion products constitute at least fifteen percent (15%) by weight of the substances of which the unit is composed. Recycled components include:

- (1) aggregates;
- (2) fillers;
- (3) cementitious materials; or
- (4) any combination of aggregates, filler, or cementitious materials;

that are used in the manufacture of masonry construction products (including portland cement based mortar), normal and lightweight concrete, blocks, bricks, pavers, pipes, prestressed concrete products, filter media, and other products approved by the center for coal technology research established under ~~IC 4-4-30~~ **IC 21-47-4**.

Page 116, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 123. IC 6-3.1-25.2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this chapter, a unit of materials, goods, or other tangible personal property is a "recycled component" if coal combustion products constitute at least fifteen percent (15%) by weight of the substances of which the unit is composed. Recycled components include:

- (1) aggregates;
- (2) fillers;
- (3) cementitious materials; or
- (4) any combination of aggregates, filler, or cementitious materials;

that are used in the manufacture of masonry construction products (including portland cement based mortar), normal and lightweight concrete, blocks, bricks, pavers, pipes, prestressed concrete products, filter media, and other products approved by the Center for Coal Technology Research established under ~~IC 4-4-30~~ **IC 21-47-4**.

SECTION 124. IC 6-3.1-25.2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. To obtain a credit under this chapter, the manufacturer must file with the department information that the department determines is necessary for the calculation of the credit provided under this chapter. The department shall keep a list that includes:

- (1) the name of each manufacturer that receives a credit under this chapter and IC 6-1.1-44; and
- (2) the amount of each credit for the manufacturer in the taxable year;

and provide the list annually to the center for coal technology research established under ~~IC 4-4-30~~ **IC 21-47-4**.

SECTION 125. IC 6-3.1-29-5, AS ADDED BY P.L.191-2005,

SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. As used in this chapter, "Indiana coal" has the meaning set forth in ~~IC 4-4-30-4~~. **IC 21-47-1-4**."

Page 120, line 19, delete "IC 21-7-13-6)." and insert "**IC 21-7-13-6(a)**).".

Page 125, line 17, delete "nonprofit college or" and insert "**postsecondary educational institution**".

Page 125, line 18, delete "university".

Page 125, line 18, delete "IC 21-17-16-1." and insert "**IC 21-17-6-1**".

Page 129, line 12, delete "IC 20-23-7." and insert "**IC 21-31-7**".

Page 131, line 1, delete "IC 21-7-13-26)" and insert "**IC 21-17-1-13**".

Page 131, line 20, strike "IC 20-12-76-24(a)," and insert "**IC 21-17-3-12(a)**".

Page 132, line 34, strike "college." and insert "**postsecondary educational institution**".

Page 140, line 27, delete "IC 21-7-13-6." and insert "**IC 21-7-13-6(a)**".

Page 154, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 176. IC 15-2.1-2-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 24. "Laboratory" means the animal disease diagnostic laboratory established by ~~IC 15-2.1-5-1~~ **IC 21-46-3-1** or any other laboratory approved by the board.

SECTION 177. IC 15-5-17-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) This section does not apply to the following:

(1) A state or federally inspected livestock slaughtering facility (for conduct authorized by IC 15-2.1-24 and rules adopted under that chapter).

(2) An animal disease diagnostic laboratory established under ~~IC 15-2.1-5-1~~. **IC 21-46-3-1**.

(3) A ~~college or university~~. **postsecondary educational institution**.

(4) A research facility licensed by the United States Department of Agriculture.

(b) A person who knowingly or intentionally destroys or authorizes the destruction of an animal:

(1) by means of placing the animal in a decompression chamber and lowering the pressure of or the oxygen content in the air surrounding the animal; or

(2) by electrocution;

commits a Class B misdemeanor."

Page 154, line 24, delete "IC 21-13-7-6." and insert "**IC 21-7-13-6(a)**".



1 Page 190, delete lines 10 through 42.  
 2 Delete page 191.  
 3 Page 192, delete lines 1 through 4.  
 4 Page 200, line 40, strike "IC 20-30-11." and insert "**IC 21-43-4.**".  
 5 Page 213, line 32, delete "IC 21-12-1-6." and insert "**IC 21-12-1-5.**".  
 6 Page 216, line 5, delete "IC 21-17-5" and insert "**IC 21-17-1-14,**  
 7 **IC 21-17-1-17,**".  
 8 Page 216, line 13, delete ":".  
 9 Page 216, delete lines 14 through 15.  
 10 Page 216, line 16, delete "(2)" and insert "**IC 21-17-1-14,**  
 11 **IC 21-17-1-17, and**".  
 12 Page 216, line 16, delete "IC 21-17-1-10(2)." and insert "**IC**  
 13 **21-17-1-10.**".  
 14 Page 216, run in lines 13 through 16.  
 15 Page 229, between lines 4 and 5, begin a new paragraph and insert:  
 16 "**Sec. 1. The governor shall appoint an executive director to**  
 17 **administer the programs of the commission.**".  
 18 Page 229, line 5, delete "1." and insert "**2.**".  
 19 Page 229, line 13, delete "2." and insert "**3.**".  
 20 Page 231, line 7, delete "IC 21-15-5." and insert "**IC 21-14-5.**".  
 21 Page 231, line 41, delete "IC 20-12-6," and insert "**IC 21-12-6,**".  
 22 Page 232, line 1, delete "IC 20-12-6-4;" and insert "**IC 21-12-6-4;**".  
 23 Page 232, line 2, delete "IC 20-12-8," and insert "**IC 21-12-8,**".  
 24 Page 261, line 15, delete "section 2" and insert "**sections 2 through**  
 25 **6**".  
 26 Page 261, line 18, delete "section 2" and insert "**sections 2 through**  
 27 **6**".  
 28 Page 271, line 12, delete "IC 20-16-4" and insert "**IC 21-16-4**".  
 29 Page 271, line 14, delete "IC 20-16-4-1." and insert "**IC 21-16-4-1.**".  
 30 Page 272, line 1, delete "student".  
 31 Page 282, line 18, delete ":".  
 32 Page 282, delete lines 19 through 20.  
 33 Page 282, line 21, delete "(2)" and insert "**sections 14 and 17 of this**  
 34 **chapter and**".  
 35 Page 282, run in lines 18 through 21.  
 36 Page 349, line 5, delete "IC 21-29-1-1." and insert "**IC 21-29-2-1.**".  
 37 Page 362, line 4, delete "IC 21-33;" and insert "**IC 21-35-7;**".  
 38 Page 365, line 40, delete "registered" and insert "**furnishing the**  
 39 **information required**".  
 40 Page 374, line 36, delete "IC 20-12-7,".  
 41 Page 374, line 36, delete "IC 21-35-4" and insert "**IC 21-35-5**".  
 42 Page 394, line 32, delete "IC 21-33-3-2(2)." and insert "**IC**  
 43 **21-35-3-2(2).**".  
 44 Page 410, line 4, delete "IC 21-33-3" and insert "**IC 21-35-3**".  
 45 Page 422, line 31, after "fund" insert "**described in section 13(1) of**  
 46 **this chapter**".

- 1 Page 426, line 33, delete "or".
- 2 Page 426, line 34, delete "IC 21-38-3-2(2)".
- 3 Page 426, line 39, delete "or".
- 4 Page 426, line 40, delete "IC 21-38-3-2(2)".
- 5 Page 438, line 14, delete "sections".
- 6 Page 457, line 19, delete "IC 21-3-8," and insert "**IC 21-43-8**".
- 7 Page 470, line 24, delete "IC 21-43-3," and insert "**IC 21-44-3**".
- 8 Page 470, line 26, delete "IC 21-43-3-1(4)." and insert "**IC**
- 9 **21-44-3-1(4).**".
- 10 Page 564, line 18, strike "IC 20-12-21.7-4)." and insert "**IC**
- 11 **21-13-1-6).**".
- 12 Page 570, between lines 38 and 39, begin a new paragraph and
- 13 insert:
- 14 "SECTION 377. IC 35-46-3-5 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) Except as
- 16 provided in subsections (b) through (c), this chapter does not apply to
- 17 the following:
- 18 (1) Fishing, hunting, trapping, or other conduct authorized under
- 19 IC 14-22.
- 20 (2) Conduct authorized under IC 15-5-7.
- 21 (3) Veterinary practices authorized by standards adopted under
- 22 IC 15-5-1.1-8.
- 23 (4) Conduct authorized by a local ordinance.
- 24 (5) Acceptable farm management practices.
- 25 (6) Conduct authorized by the Indiana Meat and Poultry
- 26 Inspection and Humane Slaughter Act, IC 15-2.1-24, and rules
- 27 adopted under IC 15-2.1-24 for state or federally inspected
- 28 livestock slaughtering facilities.
- 29 (7) A research facility registered with the United States
- 30 Department of Agriculture under the federal Animal Welfare Act
- 31 (7 U.S.C. 2131 et seq.).
- 32 (8) Destruction of a vertebrate defined as a pest under
- 33 IC 15-3-3.6-2(22).
- 34 (b) Section 1 of this chapter applies to conduct described in
- 35 subsection (a).
- 36 (c) Destruction of an animal by electrocution is authorized under
- 37 this section only if it is conducted by a person who is engaged in an
- 38 acceptable farm management practice, by a research facility registered
- 39 with the United States Department of Agriculture under the Animal
- 40 Welfare Act, or for the animal disease diagnostic laboratory established
- 41 under ~~IC 15-2.1-5-1~~, **IC 21-46-3-1**, a research facility licensed by the
- 42 United States Department of Agriculture, a college, or a university."
- 43 Page 576, between lines 1 and 2, begin a new paragraph and insert:
- 44 "SECTION 382. IC 36-1.5-4-1, AS ADDED BY P.L.186-2006,
- 45 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 46 JULY 1, 2007]: Sec. 41. (a) Notwithstanding any other law, an

1 individual:

2 (1) who is employed as a firefighter or a police officer by a  
3 political subdivision that is reorganized under this article;  
4 (2) who is a member of the 1977 fund before the effective date of  
5 the reorganization under this article; and  
6 (3) who, after the reorganization, becomes an employee of the fire  
7 department, police department, or county police department of the  
8 reorganized political subdivision;

9 remains a member of the 1977 fund without being required to meet the  
10 requirements under IC 36-8-8-19 and IC 36-8-8-21. The firefighter or  
11 police officer shall receive credit for any service as a member of the  
12 1977 fund before the reorganization to determine the firefighter's or  
13 police officer's eligibility for benefits under IC 36-8-8.

14 (b) Notwithstanding any other law, an individual:

15 (1) who is employed as a firefighter by a political subdivision that  
16 is reorganized under this article;  
17 (2) who is a member of the 1937 fund before the effective date of  
18 the reorganization under this article; and  
19 (3) who, after the reorganization, becomes an employee of the fire  
20 department of the reorganized political subdivision;

21 remains a member of the 1937 fund. The firefighter shall receive credit  
22 for any service as a member of the 1937 fund before the reorganization  
23 to determine the firefighter's eligibility for benefits under IC 36-8-7.

24 (c) Notwithstanding any other law, an individual:

25 (1) who is employed as a member of a county police department  
26 by a political subdivision that is reorganized under this article;  
27 (2) who is a member of the sheriff's pension trust before the  
28 effective date of the reorganization under this article; and  
29 (3) who, after the reorganization, becomes a law enforcement  
30 officer of the reorganized political subdivision;

31 remains a member of the sheriff's pension trust. The individual shall  
32 receive credit for any service as a member of the sheriff's pension trust  
33 before the reorganization to determine the individual's eligibility for  
34 benefits under IC 36-8-10.

35 (d) Notwithstanding any other law, an individual:

36 (1) who is employed as a police officer by a political subdivision  
37 that is reorganized under this article;  
38 (2) who is a member of the 1925 fund or 1953 fund before the  
39 effective date of the reorganization under this article; and  
40 (3) who, after the reorganization, becomes an employee of the  
41 police department or county police department of the reorganized  
42 political subdivision;

43 remains a member of the 1925 fund or 1953 fund. The police officer  
44 shall receive credit for any service as a member of the 1925 fund or  
45 1953 fund before the reorganization to determine the police officer's  
46 eligibility for benefits under IC 36-8-6 or IC 36-8-7.5.

(e) Notwithstanding any other law, an individual:

(1) who is employed by a political subdivision that is reorganized under this article;

(2) who is a member of the pre-1996 account (as defined in ~~IC 21-6.1-1-6.9~~ **IC 5-10.4-1-12**) before the effective date of the reorganization under this article; and

(3) who, after the reorganization, becomes an employee of the reorganized political subdivision in a position that qualifies the individual for service credit in the Indiana state teachers' retirement fund;

remains a member of the pre-1996 account.

SECTION 383. IC 36-2-7-10, AS AMENDED BY P.L.169-2006, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. (a) The county recorder shall tax and collect the fees prescribed by this section for recording, filing, copying, and other services the recorder renders, and shall pay them into the county treasury at the end of each calendar month. The fees prescribed and collected under this section supersede all other recording fees required by law to be charged for services rendered by the county recorder.

(b) The county recorder shall charge the following:

(1) Six dollars (\$6) for the first page and two dollars (\$2) for each additional page of any document the recorder records if the pages are not larger than eight and one-half (8 1/2) inches by fourteen (14) inches.

(2) Fifteen dollars (\$15) for the first page and five dollars (\$5) for each additional page of any document the recorder records, if the pages are larger than eight and one-half (8 1/2) inches by fourteen (14) inches.

(3) For attesting to the release, partial release, or assignment of any mortgage, judgment, lien, or oil and gas lease contained on a multiple transaction document, the fee for each transaction after the first is the amount provided in subdivision (1) plus the amount provided in subdivision (4) and one dollar (\$1) for marginal mortgage assignments or marginal mortgage releases.

(4) One dollar (\$1) for each cross-reference of a recorded document.

(5) One dollar (\$1) per page not larger than eight and one-half (8 1/2) inches by fourteen (14) inches for furnishing copies of records and two dollars (\$2) per page that is larger than eight and one-half (8 1/2) inches by fourteen (14) inches.

(6) Five dollars (\$5) for acknowledging or certifying to a document.

(7) Five dollars (\$5) for each deed the recorder records, in addition to other fees for deeds, for the county surveyor's corner perpetuation fund for use as provided in ~~IC 32-19-4-3~~ **IC 21-47-3-3** or IC 36-2-12-11(e).

- 1 (8) A fee in an amount authorized under IC 5-14-3-8 for  
2 transmitting a copy of a document by facsimile machine.
- 3 (9) A fee in an amount authorized by an ordinance adopted by the  
4 county legislative body for duplicating a computer tape, a  
5 computer disk, an optical disk, microfilm, or similar media. This  
6 fee may not cover making a handwritten copy or a photocopy or  
7 using xerography or a duplicating machine.
- 8 (10) A supplemental fee of three dollars (\$3) for recording a  
9 document that is paid at the time of recording. The fee under this  
10 subdivision is in addition to other fees provided by law for  
11 recording a document.
- 12 (11) Three dollars (\$3) for each mortgage on real estate recorded,  
13 in addition to other fees required by this section, distributed as  
14 follows:
  - 15 (A) Fifty cents (\$0.50) is to be deposited in the recorder's  
16 record perpetuation fund.
  - 17 (B) Two dollars and fifty cents (\$2.50) is to be distributed to  
18 the auditor of state on or before June 20 and December 20 of  
19 each year as provided in IC 24-9-9-3.
- 20 (c) The county recorder shall charge a two dollar (\$2) county  
21 identification security protection fee for recording or filing a document.  
22 This fee shall be deposited under IC 36-2-7.5-6.
- 23 (d) The county treasurer shall establish a recorder's records  
24 perpetuation fund. All revenue received under subsection (b)(5), (b)(8),  
25 (b)(9), and (b)(10), and fifty cents (\$0.50) from revenue received under  
26 subsection (b)(11), shall be deposited in this fund. The county recorder  
27 may use any money in this fund without appropriation for the  
28 preservation of records and the improvement of record keeping systems  
29 and equipment.
- 30 (e) As used in this section, "record" or "recording" includes the  
31 functions of recording, filing, and filing for record.
- 32 (f) The county recorder shall post the fees set forth in subsection (b)  
33 in a prominent place within the county recorder's office where the fee  
34 schedule will be readily accessible to the public.
- 35 (g) The county recorder may not tax or collect any fee for:
  - 36 (1) recording an official bond of a public officer, a deputy, an  
37 appointee, or an employee; or
  - 38 (2) performing any service under any of the following:
    - 39 (A) IC 6-1.1-22-2(c).
    - 40 (B) IC 8-23-7.
    - 41 (C) IC 8-23-23.
    - 42 (D) IC 10-17-2-3.
    - 43 (E) IC 10-17-3-2.
    - 44 (F) IC 12-14-13.
    - 45 (G) IC 12-14-16.
- 46 (h) The state and its agencies and instrumentalities are required to

- 1 pay the recording fees and charges that this section prescribes."
- 2 Page 576, line 11, strike "IC 20-12-29.5," and insert "**IC 21-44-2**,"
- 3 Page 581, line 1, after "IC 20-12" insert "IC 20-30-11;
- 4 IC 20-30-11.5;"
- 5 Renumber all SECTIONS consecutively.  
(Reference is to ESB 526 as printed March 16, 2007.)

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Representative Van Haaften